



PATENT  
Customer No. 22,852  
Attorney Docket No. 08048.0018-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Jean-Louis H. GUERET ) Group Art Unit: 3751  
)  
Application No.: 09/986,021 ) Examiner: K. Prunner  
)  
Filed: November 7, 2001 )  
)  
For: PRODUCT APPLICATION )  
DEVICE INCLUDING A DIP TUBE )  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed with a Request for Continued Examination (RCE) and fulfills the submission requirement under 37 C.F.R. §1.114 for filing the RCE.

Copies of the listed documents, including any copending patent applications, are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicant submits the following remarks:

1. **CH 406 544** - An English language translation of this document is submitted herewith.
2. **DE 39 38 347** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
3. **DE 938 658** - An English language translation of this document is submitted herewith.
4. **EP 0 743 263** - An abstract of the disclosure of the document can be found in the English language Derwent Abstract submitted herewith.
5. **EP 1 020 135** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
6. **EP 1 044 625** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
7. **FR 1 461 630** - An English language translation of this document is submitted herewith.
8. **FR 2 502 472** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
9. **FR 2 588 457** - An English language translation of this document is submitted herewith.
10. **FR 2 633 498** - This document is believed to be related to U.S. Patent No. 5,096,319, submitted herewith
11. **FR 2 744 602** - This document is believed to be related to U.S. Patent No. 5,865,194, submitted herewith

12. **FR 2 750 406** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith .

13. **FR 2 754 458** - This document is believed to be related to U.S. Patent No. 5,890,828 submitted herewith.

14. **FR 2 792 296** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

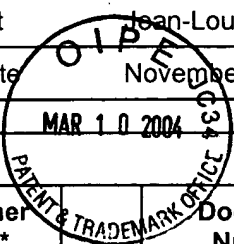
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 10, 2004

By:   
Anthony M. Gutowski  
Reg. No. 38,742

## INFORMATION DISCLOSURE CITATION

|                                |                            |
|--------------------------------|----------------------------|
| Atty. Docket No. 08048.0018-00 | Application No. 09/986,021 |
| Applicant Jean-Louis H. GUERET |                            |
| Filing Date November 7, 2001   | Group: 3751                |



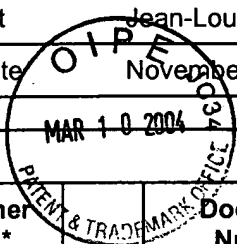
## U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Date          | Name             | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|---------------|------------------|-------|-----------|----------------------------|
|                   | 813,813         | Feb. 27, 1906 | Munroe           |       |           |                            |
|                   | 1,534,259       | Apr. 21, 1925 | Dempsey          |       |           |                            |
|                   | 1,573,036       | Feb. 16, 1926 | Bowman           |       |           |                            |
|                   | 1,580,690       | Apr. 13, 1926 | Sierad et al.    |       |           |                            |
|                   | 2,311,367       | Feb. 16, 1943 | Chambers         |       |           |                            |
|                   | 2,554,302       | May, 22, 1951 | Keskitalo        |       |           |                            |
|                   | 2,554,489       | May 29, 1951  | Crane            |       |           |                            |
|                   | 2,807,816       | Oct. 1, 1957  | O'Brien          |       |           |                            |
|                   | 3,209,769       | Oct. 5, 1965  | Gobin            |       |           |                            |
|                   | 3,266,079       | Aug. 16, 1966 | Schwartzman      |       |           |                            |
|                   | 3,345,673       | Oct. 10, 1967 | Schwartzman      |       |           |                            |
|                   | 3,540,448       | Nov. 17, 1970 | Sunnen           |       |           |                            |
|                   | 3,862,806       | Jan. 28, 1975 | Brown            |       |           |                            |
|                   | 3,871,390       | Mar. 18, 1975 | Spatz            |       |           |                            |
|                   | 4,089,609       | May 16, 1978  | Gring et al.     |       |           |                            |
|                   | 4,752,147       | June 21, 1988 | Persi            |       |           |                            |
|                   | 4,795,063       | Jan. 3, 1989  | Sekiguchi et al. |       |           |                            |
|                   | 5,002,415       | Mar. 26, 1991 | Gueret           |       |           |                            |
|                   | 5,052,592       | Oct. 1, 1991  | Wilken et al.    |       |           |                            |
|                   | 5,088,849       | Feb. 18, 1992 | Johnson et al.   |       |           |                            |
|                   | 5,096,319       | Mar. 17, 1992 | Gueret           |       |           |                            |

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| Examiner  | Date Considered   |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |
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| Applicant Jean-Louis H. GUERET |                            |
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| Examiner Initial* | Document Number | Date          | Name           | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|---------------|----------------|-------|-----------|----------------------------|
|                   | 5,178,300       | Jan. 12, 1993 | Haviv et al.   |       |           |                            |
|                   | 5,188,472       | Feb. 23, 1993 | Sgro           |       |           |                            |
|                   | 5,324,127       | Jun. 28, 1994 | Cortez         |       |           |                            |
|                   | 5,692,846       | Dec. 2, 1997  | Schwarzberg    |       |           |                            |
|                   | 5,865,194       | Feb. 2, 1999  | Gueret         |       |           |                            |
|                   | 5,890,828       | Apr. 6, 1999  | Gueret         |       |           |                            |
|                   | 5,945,076       | Aug. 31, 1999 | Leonard et al. |       |           |                            |
|                   |                 |               |                |       |           |                            |

## FOREIGN PATENT DOCUMENTS

| Document Number | Date          | Country     | Class | Sub Class | Translation Yes or No |
|-----------------|---------------|-------------|-------|-----------|-----------------------|
| CA 1 288 391    | Sep. 3, 1991  | Canada      |       |           |                       |
| CH 406 544      | Jan. 31, 1996 | Switzerland |       |           | Yes                   |
| DE 39 38 347    | May 23, 1991  | Germany     |       |           | Abstract              |
| DE 938 658      | Jan. 5, 1956  | Germany     |       |           | Yes                   |
| EP 0 263 329    | Apr. 13, 1988 | Europe      |       |           |                       |
| EP 0 374 339    | Jun. 27, 1990 | Europe      |       |           |                       |
| EP 0 380 183    | Aug. 1, 1990  | Europe      |       |           |                       |
| EP 0 743 263    | Nov. 20, 1996 | Europe      |       |           | Abstract              |
| EP 1 044 625    | Oct. 18, 2000 | Europe      |       |           | Abstract              |
| FR 1 461 630    | Feb. 20, 1967 | France      |       |           | Yes                   |

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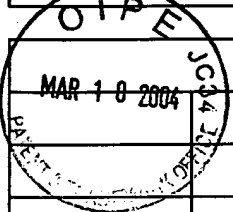
| FOREIGN PATENT DOCUMENTS |                 |               |               |       |           |                       |  |
|--------------------------|-----------------|---------------|---------------|-------|-----------|-----------------------|--|
|                          | Document Number | Date          | Country       | Class | Sub Class | Translation Yes or No |  |
|                          | FR 2 502 472    | Oct. 1, 1982  | France        |       |           | Abstract              |  |
|                          | FR 2 588 457    | Apr. 17, 1987 | France        |       |           | Yes                   |  |
|                          | FR 2 633 498    | Jan. 5, 1990  | France        |       |           | No                    |  |
|                          | FR 2 744 602    | Aug. 14, 1997 | France        |       |           | No                    |  |
|                          | FR 2 750 406    | Jan. 2, 1998  | France        |       |           | Abstract              |  |
|                          | FR 2 754 458    | Apr. 17, 1998 | France        |       |           | No                    |  |
|                          | FR 2 792 296    | Oct. 20, 2000 | France        |       |           | Abstract              |  |
|                          | GB 1 105 590    | Mar. 6, 1968  | Great Britain |       |           |                       |  |
|                          | GB 2 137 181    | Oct. 3, 1984  | Great Britain |       |           |                       |  |
|                          | UK 1,158,412    | July 16, 1969 | UK            |       |           |                       |  |
|                          | WO 91/12197     | Aug. 22, 1991 | PCT           |       |           |                       |  |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |
|--|--|
|  | Co-pending Application No. 09/482,685; Attorney Docket No. 05725.0517-00000<br>Title: DEVICE FOR DISPENSING AND APPLYING A PRODUCT<br>Inventor(s): Jean-Louis H. GUERET<br>U.S. Filing Date: January 14, 2000                      |
|  | Co-pending Application No. 09/550,588; Attorney Docket No. 05725.0560-00000<br>Title: APPLICATOR AND APPLICATOR ASSEMBLY EQUIPPED WITH SUCH AN APPLICATOR<br>Inventor(s): Jean-Louis H. GUERET<br>U.S. Filing Date: April 17, 2000 |
|  | Co-pending Application No. 09/981,184, Attorney Docket No. 08048.0019-00<br>Title: APPLICATION DEVICE, SYSTEM, AND METHOD<br>Inventor: Jean-Louis H. GUERET<br>U.S. Filing Date: October 18, 2001                                  |
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| Applicant        | Jean-Louis H. GUERET |                 |            |
| Filing Date      | November 7, 2001     | Group:          | 3751       |



## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|---|
|  | English language Derwent Abstract of DE 39 38 347, May 23, 1991.  |
|  | English language Derwent Abstract of EP 0 743 263, Nov. 20, 1996.   |
|  | English language Derwent Abstract of EP 1 020 135, Jul. 19, 2000.   |
|  | English language Derwent Abstract of EP 1 044 625, Oct. 18, 2000.   |
|  | English language Derwent Abstract of FR 2 502 472, Oct. 1, 1982.  |
|  | English language Derwent Abstract of FR 2 750 406, Jan. 2, 1998   |
|  | English language Derwent Abstract of FR 2 792 296, Oct. 20, 2000.   |
|  | English language translation of CH 406 544.   |
|  | English language translation of FR 2 588 457  |
|  | English language translation of German Patent No. 938 658, Jan. 5, 1956   |
|  | English language translation of French Patent No. 1,461,630   |
|  | Office communication dated February 6, 2003, from U.S. Patent and Trademark Office in Co-pending Application No. 09/981,184, Attorney Docket No. 08048.0019-00  |
|  | Response to Office communication of February 6, 2003, filed in USPTO March 3, 2003, in Co-pending Application No. 09/981,184, Attorney Docket No. 08048.0019-00 |
|  | Office communication dated May 22, 2003 from U.S. Patent and Trademark Office in Co-pending Application No. 09/981,184, Attorney Docket No. 08048.0019-00       |
|  | Response to Office communication of May 22, 2003, filed on September 30, 2003, in Co-pending Application No. 09/981,184, Attorney Docket No. 08048.0019-00      |
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